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GOVT OF INDIA
LAKSHADWEEP ADMINISTRATION
DEPARTMENT OF COOPERATION
U T OF LAKSHADWEEP
KAVARATTI – 682 555
Dated: 14/12/2025

NOTIFICATION

F.No. 40/5/2021- CoopVoI -II/465 In exercise of the powers conferred under Sub-section (3) of Section 1 of the Lakshadweep Registration of Societies Regulation, 2025 (No. 6 of 2025), promulgated by Her Excellency the President of India and published in the Gazette of India Extraordinary, CG-DL-E-17112025-267730, dated 17th November, 2025, the Hon'ble Administrator, Union Territory of Lakshadweep, hereby appoints the date of publication of this notification in the Lakshadweep Gazette as the date on which the said Regulation shall come into force in the Union Territory of Lakshadweep.

//By order//

Sd/-
(Dr. Giri Sankar, IAS)
Secretary (Cooperation)

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 17*th November,* 2025/*Kartika* 26, 1947 *(Saka)*

THE LAKSHADWEEP REGISTRATION OF SOCIETIES REGULATION, 2025

No. 6 of 2025

Promulgated by the President in the Seventy-sixth Year of the Republic of India.

A Regulation to consolidate the law relating to the registration and regulation of societies in the Union territory of Lakshadweep for promotion of art, fine arts, charity, craft, culture, education, literature, philosophy, political education, religion, sports, science, any public or charitable purpose and for matters connected therewith or incidental thereto.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

1. (*1*) This Regulation may be called the Lakshadweep Registration of Societies Regulation, 2025.

(*2*) It extends to the whole of the Union territory of Lakshadweep.

(*3*) It shall come into force on such date, as the Administrator may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

(*a*) "Administrator" means the Administrator of the Union territory of Lakshadweep appointed by the President under article 239 of the Constitution;

(*b*) "bye-laws" means the bye-laws of a society;

(*c*) "defunct society" means a society which is not carrying on any business or operation or has not filed its annual or other returns with the Registrar continuously for such period, as may be notified;

(*d*) "document" includes register of members, books of account, returns, annual returns, other statutory registers, summons, notice, requisition, order, other legal processes, whether issued or kept in pursuance of this Regulation or any other law for the time being in force in the Union territory of Lakshadweep;

(*e*) "elected member" means a member of a society who is duly elected as an office bearer of the Governing Body;

(*f*) "financial year" means the period commencing from the 1st day of April of a year and ending with the 31st day of March of the following year;

(*g*) "General Body" means the body of all members of a society;

(*h*) "Governing Body" means the Executive Committee or the Managing Committee constituted or elected by the members of the General Body and responsible for the management of day-to-day affairs of the society;

(*i*) "Government" means the Administration of the Union territory of Lakshadweep headed by the Administrator;

(*j*) "major" means a person who has completed the age of eighteen years;

(*k*) "member" means a person who fulfils the eligibility criteria for becoming a member of a society, as specified in this Regulation and has been admitted as a member of the society in accordance with its bye-laws;

(*l*) "Memorandum" means the Memorandum of Association of a society in accordance with the provisions of this Regulation;

(*m*) "notification" means a notification published in the Official Gazette and the expression "notified" shall be construed accordingly;

(*n*) "office bearer" includes the President, Vice-President, Secretary, Joint Secretary, Manager, Treasurer or any other member of the Governing Body empowered under the bye-laws to give directions in regard to the conduct of the business of a society;

(*o*) "Official Gazette" means the Official Gazette of the Union territory of the Lakshadweep;

(*p*) "prescribed" means prescribed by rules made by the Administrator under this Regulation;

(*q*) "public notice" means a notice published in at least one or two newspapers widely circulating in the area, of which one shall be in vernacular language and the other shall be duly displayed on the notice board of the office of the Registrar;

(*r*) "Registrar" means the Registrar of societies appointed under sub-section (*2*) of section 4;

(*s*) "Registrar General" means the Registrar General appointed by the Government under sub-section (*1*) of section 4;

(*t*) "society" means a society duly registered under the provisions of this Regulation;

(*u*) "special resolution" means a resolution passed in a meeting of the General Body, in which at least forty per cent. of the members entitled to vote are present and the resolution is approved by three-fifths of the members so present and voting;

(*v*) "State Aided Society" means a Society which is in receipt of any recurring grant or financial aid from the Government or a local body or any of its entities to manage its facilities or institutions established in accordance with the objectives set out in its Memorandum or bye-laws and shall include a society where any one or more of its institution is receiving aid;

(*w*) "Union territory" means the Union territory of Lakshadweep.

CHAPTER II

AIMS AND OBJECTS OF SOCIETY

Aims and objects.

3. Any seven or more persons associated for—

(*i*) any literary, scientific or charitable purpose, including charitable societies, military orphan funds or societies established at several presidencies of India;

(*ii*) societies established for the promotion of science, literature or fine arts;

(*iii*) instruction;

(*iv*) the diffusion of useful knowledge or political education;

(*v*) the foundation or maintenance of libraries or reading rooms for general use among members or open to the public;

(*vi*) public museums and galleries of paintings and other works of art;

(*vii*) collections of natural history, mechanical and philosophical inventions;

(*viii*) instruments or designs;

(*ix*) the promotion of conservation and sustainable use of natural resources such as land, water, forests and wildlife; and

(*x*) the formation of welfare of associations of flats, tenements, condominiums or floor space owners,

by subscribing their names to a Memorandum and filing the same with the Registrar, form themselves into a society under this Regulation.

CHAPTER III

AUTHORITIES OF SOCIETY

Registrar General, other officers and their powers.

4. (*1*) The Administrator may, by an order published in the Official Gazette, appoint an officer, not below the rank of Joint Secretary to the Government of India as the Registrar General, who shall exercise such powers and perform such duties and functions, as are conferred upon him by or under this Regulation.

(*2*) The Registrar General may, by an order, appoint an officer of the Government at such level or cadre, as may be prescribed, as Registrar and other officers as Additional Registrar or Joint Registrar or Deputy Registrar or Assistant Registrar to assist the Registrar in the discharge of his functions and empower them to exercise such powers and perform such duties and functions, as may be assigned to them, from time to time.

(*3*) The officers appointed under this section shall exercise powers, discharge duties and perform functions under the overall administrative control and superintendence of the Government.

CHAPTER IV

REGISTRATION OF SOCIETY

Application for registration of society and society not to be registered with identical names.

5. (*1*) An application in such form, accompanied by such fee, containing such particulars, in accordance with such procedure, as may be prescribed for getting approval of the name of the society as well as for its registration, shall be filed with the Registrar, in whose jurisdiction the registered office of the society is situated, along with the Memorandum and the bye-laws prepared in accordance with the provisions of this Regulation:

Provided that if the proposed name is identical with that by which any other existing society has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public, the Registrar shall refuse to register the name.

(*2*) No society shall be registered with a name which contravenes the provisions of the Emblems and Names (Prevention of the Improper Use) Act, 1950. 12 of 1950.

(*3*) No society shall be registered without the previous approval of the Government in writing, with a name which contains any of the following expressions, namely:—

(*i*) Co-operative or Land Development;

(*ii*) Reserve Bank;

(*iii*) Union or State or National or International or Universal or any word expressing or implying the sanction, approval or patronage of the Central Government or any State Government or Union territory Administration;

(*iv*) Municipal or Panchayat or Chartered; and

(*v*) Investigation Bureau or any word which suggests or is calculated to suggest connection with any municipality, statutory, investigating or intelligence agency or other local authority.

Certificate of registration.

6. (*1*) After scrutiny of the documents presented before the Registrar, if he is satisfied that the applicant has complied with all the provisions of this Regulation and the rules made thereunder, he shall enter the particulars of the society registered, in a register maintained by him in physical or electronic form and issue a certificate of registration in such form and manner as may be prescribed.

Explanation.—For the purposes of this sub-section, the expression "electronic form" shall have the same meaning as assigned to it in clause (*r*) of sub-section (*1*) of section 2 of the Information Technology Act, 2000. 21 of 2000.

(*2*) If the Registrar refuses to register a society, he shall state the reasons therefor and communicate the same to the applicant, within such period as may be prescribed in this behalf.

(*3*) Every society registered shall be assigned a distinct registration number.

(*4*) Every existing society shall apply in such form as may be prescribed to the Registrar for obtaining a new registration number within a period of one year or such further period, as may be notified by the Government and if the new number is not applied within one year, then number shall be applied along with such fee, as may be prescribed, within a period of six months and if the society fails to move an application for new number within such extended period, the registration may be cancelled.

(*5*) A certificate of registration shall be the conclusive proof that the society therein mentioned is duly registered unless proved otherwise.

(*6*) Every society registered under this Regulation shall prominently display its name along with registration number outside its registered office or any other place where it is carrying on its business or operations, and shall have a seal with its name engraved thereon and the name of society, registration number and its registered office shall be mentioned in all documents executed in its favour or on its behalf.

(*7*) Every society registered under this Regulation shall be a legal entity, by the name in which it has been registered, having perpetual succession and a common seal, with the power, subject to the provisions of this Regulation, to acquire, hold and dispose of property, both movable and immovable, and to contract and to institute and defend suits and other legal proceedings and to do all other things necessary for the furtherance of the aims of the society for which it has been registered.

Change of name and address.

7. (*1*) Every society shall have a registered office to which all communications and notices shall be addressed.

(*2*) The information about every change in the name and address of the society shall be communicated to the Registrar within a period of thirty days from the date of change, who shall record the same in the certificate of registration and the register of societies.

(*3*) A change of name shall not affect the rights and liabilities of the society or any legal proceedings by or against it.

CHAPTER V

MEMBERSHIP

Eligibility conditions for becoming member.

8. A person shall be eligible to become a member of society, if he—

(*i*) is a major on the date of admission;

(*ii*) subscribes to the aims and objects of the society;

(*iii*) has deposited the membership fee as provided in the bye-laws; and

(*iv*) is not an insolvent or of unsound mind or have not been convicted of an offence involving moral turpitude, punishable with imprisonment of one year or more.

Register of members.

9. (*1*) Every society shall maintain a register of its members at its registered office and shall enter therein the particulars of admission or removal of member within fifteen days of the admission or removal or the cessation of any membership, as the case may be, in such manner as may be prescribed.

(*2*) A copy of the register of members maintained by the society, if not filed at the time of registration, shall be filed with the Registrar within a period of sixty days from the date of registration.

(*3*) The society shall file an updated list of members, duly certified by the authorised officer of the society, separately showing the inclusions and deletions, if any, every year within a period of sixty days of the close of the financial year in the office of the Registrar, in such manner as may be prescribed.

(*4*) The register of members shall be kept open at the registered office of the society and remain accessible to any officer of the office of Registrar, Registrar General or any member of the society during the business hours.

(*5*) Every person admitted as a member on the date of notification of elections, subject to his not being in arrears of membership fees or annual subscription, for a period as may be prescribed, shall have the right to exercise his vote in person.

(*6*) Every member shall have the right to inspect the books of account, books containing the minutes of proceedings of meetings on any working day during business hours after giving reasonable notice.

Cessation of membership.

10. A member admitted to a society shall cease to be so in the following circumstances, namely:—

(*i*) upon submission and acceptance of his resignation;

(*ii*) if he ceases to fulfil the eligibility conditions for being admitted as a member as mentioned under section 8;

(*iii*) upon his failure to pay membership fee or annual subscription fee continuously for such period, as may be determined by the Registrar General; or

(*iv*) upon the death of a member:

Provided that in case of a housing society or a resident welfare association registered as a society for the operation, management and maintenance of facilities for the residents or civic amenities of any defined area, the nominee or the legal heir shall be enrolled as a member subject to fulfilment of qualifications as laid down in the bye-laws and the provisions of this Regulation:

Provided further that a partnership firm, whether registered or not, or a body corporate of whatever description, shall not be eligible to be a member of a society:

Provided also that there shall not be any bar for a partner as defined in section 4 of the Indian Partnership Act, 1932 or a member or shareholder of a body corporate to become a member in his individual capacity. 9 of 1932.

CHAPTER VI

MEMORANDUM AND BYE-LAWS OF SOCIETY

Memorandum.

11. (*1*) The Memorandum shall state,—

(*i*) the name of the society;

(*ii*) the aims and objects of the society;

(*iii*) the names, addresses and occupations of the members of the first Governing Body to whom the management of its affairs is entrusted under the bye-laws; and

(*iv*) the place and the island in which the registered office of the society is situated.

(*2*) The Memorandum and bye-laws, certified to be a true copy by not less than three members shall be filed with the Registrar at the time of registration of society.

Amendment in Memorandum and bye-laws.

12. (*1*) A society may, by a special resolution, amend the provisions of its Memorandum with respect to,—

(*i*) change in the name of society; or

(*ii*) change in the aims and objects of the society as permissible under this Regulation.

(*2*) A society may amend its bye-laws by a special resolution.

(*3*) Any special resolution passed under sub-section (*1*) or sub-section (*2*) shall be filed with the Registrar within thirty days from the date of approval thereof and the Registrar may, if he is satisfied that the same is in accordance with the provisions of this Regulation and the rules made thereunder, register such change and any such change shall have no effect until it has been so registered.

(*4*) If the Registrar refuses to register a change in the Memorandum or the bye-laws under sub-section (*3*), he shall communicate the reasons therefor in writing within a period of sixty days of filing of the special resolution by the society, and the special resolution passed by the society in that case shall have no effect:

Provided that if the Registrar fails to communicate the reasons within sixty days, the special resolution shall be deemed to have been registered by him.

(*5*) Notwithstanding anything contained in this Regulation or the rules made thereunder, if the Registrar considers that an amendment of the Memorandum or bye-laws is necessary or desirable to bring the same in conformity with the provisions of this Regulation or rules made thereunder, he may, by an order in writing, direct the society to make such amendment within such time, as may be specified, in such order and the same shall be final and binding on the society and its members.

CHAPTER VII

GENERAL BODY AND GOVERNING BODY

General Body.

13. (*1*) The total number of persons admitted as members of a society in accordance with the provisions of this Regulation shall constitute its General Body.

(*2*) Every society shall provide in its bye-laws the composition of its General Body, its powers, functions and duties, the periodicity of and the quorum for the meetings, the manner of recording of its proceedings and all other matters relating to the affairs of such General Body.

(*3*) The quorum for the meeting of the General Body shall not be less than forty per cent. of the total members entitled to vote and present in person, subject to a minimum of four members.

(*4*) Every member shall have one vote and shall cast his vote in person or digitally.

Meetings of General Body.

14. (*1*) An annual general meeting of the General Body, may be held as and when required:

Provided that at least one meeting of the General Body shall be held in every financial year in which the annual accounts of the society, duly audited, shall be placed before the members for approval.

(*2*) A clear notice of fourteen days of every meeting shall be given to the members of the General Body, as the case may be, before the date appointed for the meeting and a copy of such notice along with the business to be transacted during the general meeting shall also be endorsed to the Registrar.

Governing Body, office bearers and powers, functions and duties.

15. (*1*) The members of the General Body shall elect the Governing Body (by whatever name called), consisting of not less than three and not exceeding twenty-one members.

(*2*) The office bearers shall comprise of the President, Secretary and Treasurer as a minimum, and other office bearers, as provided under the bye-laws.

(*3*) The society shall file the list of the elected office bearers with the Registrar within a period of thirty days of holding of the elections for the Governing Body.

(*4*) The tenure of the Governing Body shall not exceed three years and the matters pertaining to re-election of any office bearer shall be regulated in accordance with the bye-laws.

(*5*) Every society shall maintain a register showing the names, addresses and occupation of the persons elected as office bearers and shall file the same with the Registrar,—

(*i*) a copy of the register within a period of thirty days from the date of election of the office bearers;

(*ii*) a notice of every change in the office bearer within a period of thirty days from the date of such change; and

(*iii*) the details of the office bearers along with the annual return.

(*6*) The constitution of the Governing Body elected for the first time or thereafter, shall be valid upon approval thereof by the Registrar and its tenure shall commence from the date of such approval.

(*7*) The Registrar shall communicate its approval of constitution of the Governing Body and other matters within a period of thirty days from the date of receipt of such application for approval, failing which it shall be deemed to be approved.

Meeting of Governing Body.

16. (*1*) The meetings of the Governing Body may be held as and when required:

Provided that the Governing Body shall meet once every quarter and hold at least four meetings in a financial year.

(*2*) A clear notice of three days of every such meeting shall be given by the Secretary of the Governing Body to the office bearers before the date appointed for the meeting:

Provided that the Governing Body may meet at shorter notice, wherever so required, with the consent of at least fifty per cent. of its members.

Record of proceedings.

17. (*1*) The society shall maintain record of the minutes of proceedings of every meeting of the General Body and Governing Body in the proceedings book separately maintained for this purpose and such minutes shall be signed by the President and Secretary of the society.

(*2*) In case the minutes of the meeting are not signed by the President for any reasons, whatsoever, the Governing Body may authorise any of the office bearer to sign such minutes.

(*3*) The minutes of every meeting of the Governing Body or the General Body, as the case may be, shall be placed for confirmation in the succeeding meeting of such body.

(*4*) Any resolution passed by the Governing Body or the General Body during any of its meetings which is not consistent with the provisions of this Regulation or the rules made thereunder or the bye-laws, shall be invalid.

(*5*) No act or proceedings of a society or any of its office bearer shall be deemed to be invalid merely on the ground of any vacancy or defect in the constitution of the society.

Supply of balance-sheet or statement of accounts.

18. Every society shall supply a copy of the balance-sheet or a statement of accounts together with the auditor's report to every member of the General Body along with the notice of the annual general meeting, if these documents have not been already placed on the website of the society.

CHAPTER VIII

PROPERTY AND FUNDS OF SOCIETIES

Acquisition of movable and immovable property.

19. A society registered under this Regulation may acquire movable or immovable property on free-hold or lease basis, from out of its funds or donations or grants or loans obtained, in accordance with its bye-laws.

Property how vested.

20. All property, movable and immovable belonging to a society, whether acquired before or after its registration, if not vested in the trustees, shall vest in the society, and any such property may be referred to as the property of such society in any legal proceedings:

Provided that in case of a housing society or a resident welfare association registered as a society for the operation, management and maintenance of facilities for the residents or civic amenities of any defined area, the property may vest in the members or their successor-in-interest who have contributed for acquisition of such property:

Provided further that where a society accepts a gift or donation of money or property of any other kind from any person or institution for a specific purpose, it shall use the money or such property gifted or donated or any part thereof only for the purpose for which it has been so gifted or donated and for no other purpose.

Restrictions on sale or transfer of immovable property.

21. (*1*) A society registered under this Regulation shall be competent to sell, transfer or alienate any of its immovable properties subject to the following, namely:—

(*a*) in case the immovable property is acquired from the Government or any of its instrumentalities or a municipal body or District panchayat or gram panchayat or any other authority, with the prior permission of that Government in writing;

(*b*) in case the immovable property is acquired by means of a conditional gift or conditional donation from any source, in accordance with such conditions, subject to the prior permission of donor or his authorised representative, and in case the donor is not alive and has left no such authorised representative, with the prior permission of the Registrar in writing;

(*c*) any other immovable property acquired by the society from and out of its own resources or funds or borrowings, with the prior permission of the General Body, by a special resolution.

(*2*) The Governing Body shall determine the reserve price of any such immovable asset, which shall not be less than the applicable collector rates, before its disposal, so as to ensure that it is not sold or transferred at an undervalued consideration.

(*3*) The proceeds from the transfer or sale of any immovable property of the society, conducted in accordance with the provisions of this section, shall be immediately deposited in the account of the society.

(*4*) Where any office bearer of the Governing Body contravenes the provisions of sub-sections (*1*), (*2*) and (*3*), the Registrar shall be competent to take any or all of the following actions, namely:—

(*i*) where the amount of consideration is not deposited in the account of the society within three working days, direct such office bearer to pay interest out of his own pocket at the rate of twenty-four per cent. for the period it remained in his possession but such period shall in no case be more than thirty days;

(*ii*) where the immovable asset has been sold or transferred at an undervalued price, recover the difference assessed on the basis of collector rates from the erring office bearer and deposit the same in the society's account; and

(*iii*) where the immovable asset has been disposed of without the permission as required under sub-section (*1*) or without complying with the conditions applicable, recover the amount, along with any additional amount as assessed on the basis of collector rates, from the concerned office bearer and deposit the same with the allotting authority.

(*5*) Where the recovery of any amount is involved from any person in the course of enforcement of sub-section (*4*), and the persons concerned do not deposit the said amount within the period allowed, the Registrar shall be competent to recover such amount as arrears of land revenue.

(*6*) Nothing under this section shall absolve the office bearer from criminal action.

Investment of funds.

22. Every society, to such extent and under such conditions, as may be permitted under its bye-laws invest or deposit any portion of its funds not immediately required,—

(*i*) in immovable properties;

(*ii*) in securities of the Government or in National Savings Certificates or other securities of the Government of India;

(*iii*) in the Post Office Savings Banks Account; or

(*iv*) in a special account opened by the society for the purpose in—

(*a*) a Scheduled Bank as authorised or notified by the Reserve Bank of India;

(*b*) a Co-operative Bank situated in the Union territory; or

(*c*) such other mode of investment as may be notified.

CHAPTER IX

ACCOUNTS, AUDIT AND FILING OF DOCUMENTS

Books of account.

23. (*1*) Every society shall keep proper books of account such as cash book, ledger, and the like as required by income-tax laws or the books as per standards laid down by the Institute of Chartered Accountants of India, at its head office or such other places as may be determined by the Registrar General with respect to,—

(*i*) all sums of money received and expended by the society; and

(*ii*) the assets and liabilities of the society.

(*2*) The accounts, returns and registers shall be verified and signed by at least two office bearers, authorised by the Governing Body.

(*3*) The books of account shall be open to inspection during the business hours by the Registrar General, Registrar or any officer authorised by them.

Audit.

24. (*1*) Every society shall get its annual accounts audited from an auditor who is a member of the Institute of Chartered Accountants of India, constituted under the Chartered Accountants Act, 1949 or the auditor of the Union territory, Co-operative Department. 38 of 1949.

(*2*) The auditor shall not be a member of the Governing Body or family member of any of the office bearer.

Annual and other returns.

25. (*1*) Every society shall file the following returns in the prescribed form, with the Registrar within thirty days of holding the annual general meeting,—

(*i*) a list of the members duly certified by the President and the Secretary, as on the 31st March of the year, separately showing the deletions and additions during the previous year;

(*ii*) a list of the office bearers along with their names, addresses and occupations separately showing the deletions and additions during the previous year, if any;

(*iii*) an annual report on the working of the society by the Governing Body duly certified by the President and Secretary;

(*iv*) a copy each of the balance-sheet, receipt expenditure statement and the auditor's report duly certified by the auditor; and

(*v*) a copy of the special resolution, if any passed.

(*2*) Any society which is required to submit any statement or returns specified in section 23 within the time specified and fails to do so, the Registrar may depute an officer to prepare the necessary statement or return:

Provided that in such cases, it shall be competent for the Registrar to determine, with reference to the time involved in the work and the emoluments of the officer deputed to do it, the charges which the society concerned shall pay to the Registrar General or Registrar and to direct its recovery from the society.

CHAPTER X

AMALGAMATION AND DIVISION

Amalgamation or division of societies.

26. (*1*) Any two or more societies, after passing special resolutions for amalgamating with each other, shall move an application along with copy of resolutions, in such form as may be prescribed for obtaining approval of the Registrar and after getting the approval, shall amalgamate together as one society.

(*2*) Any society, after passing special resolution for division of a society, shall move an application in such form as may be prescribed along with the copy of resolution, for obtaining approval of the Registrar and after getting the approval, shall stand divided.

(*3*) The resolution shall contain proposals for the division of the assets and liabilities of the society among the new societies, relationship of the parent society with the divided societies, if any, and may specify the areas of operation of and the members who may constitute each of the new societies:

Provided that before division, the society shall settle all the claims and liabilities or divide the assets and liabilities amongst the societies on *pro-rata* basis.

(*4*) No amalgamation or division of a society under sub-section (*1*) or sub-section (*2*), as the case may be, shall have any effect until and unless the new society or societies is duly registered.

(*5*) Upon the registration of the new amalgamated society or the divided societies, as the case may be, the assets and liabilities of the original registered society or societies shall, subject to the provisions of this section, be transferred to and become the assets and liabilities of the new society or societies in the manner specified in the special resolution.

CHAPTER XI

INQUIRY AND SUPERSESSION OF GOVERNING BODY

Powers to call for information or explanation.

27. (*1*) The Registrar General or the Registrar may, by written order, require any society to furnish in writing such information or document or explanation as provided in the order within such time, not being less than two weeks from the date of receipt of such order.

(*2*) On receipt of the order referred to in sub-section (*1*), it shall be the duty of the society to furnish such information or documents or explanation.

Powers to seize records, etc.

28. (*1*) Where the Registrar General or the Registrar is satisfied that,—

(*i*) the records, registers or the books of account are likely to be tampered with or destroyed and the funds and the property are likely to be misappropriated or misapplied;

(*ii*) the Governing Body is reconstituted at a general meeting and the outgoing members of the Governing Body refused, to hand over charge of the records and property of the society to those entitled to receive such charge; or

(*iii*) the office bearers, where the elections of the Governing Body have not been held by the due date, are likely to misuse such documents, funds, records or are reluctant to hand over the records to an *ad-hoc* Committee or the administrator appointed for managing the affairs of the society, as an interim measure,

he may issue an order directing a person duly authorised by him in writing to seize and take possession of such documents, funds, records and property whereupon the office bearers responsible for custody of such documents, record, funds and property shall give delivery thereof to the person so authorised.

Explanation.—For the purposes of this clause, the expression "due date" means to the date on which the term of a Governing Body of a society expires and by which the elections of the successor body should be completed.

(*2*) In order to secure compliance of the order under sub-section (*1*), the Registrar may take or cause to be taken such steps and use or cause to be used such minimum force, including recourse to police force, as may deem appropriate.

Power to inquire.

29. (*1*) Where on the information received or gathered under section 27 or on the application of a majority of the office bearers or on the application of not less than one-third of the members of the General Body, as the case may be, or, if so moved by the Government or District Collector or the Registrar General or Registrar is of the opinion that the affairs of a society are being so conducted as to defeat the aims and objects of the society or its Governing Body is guilty of mismanaging its affairs or of any breach of fiduciary or other like obligations or to defraud its creditors, he may, either himself or by any person authorised by him in that behalf, hold an inquiry into the affairs of the society.

(*2*) An application to the Registrar General or Registrar under sub-section (*1*) shall be supported by such evidence, as he may require for the purpose of showing that the applicant has good reason for applying for an inquiry.

(*3*) The Registrar General or the Registrar may require the applicants to furnish such security as he thinks fit as the cost of the proposed inquiry before the inquiry is ordered.

(*4*) All expenses incidental or preliminary to the inquiry shall, where such inquiry is held,—

(*a*) on application, be defrayed by the applicants thereof or out of the assets of the society or by the members of the society, in such proportion as the Registrar may, by an order in writing direct; and

(*b*) on a reference from the District Collector of the Union territory or the Registrar be defrayed out of the assets of the society and shall be recoverable as arrears of land revenue.

(*5*) A person holding an inquiry shall have at all reasonable times, free access to all the documents and shall have power to call upon any office bearer to produce any of the document, as he may direct.

(*6*) It shall be the duty of all office bearers, who were or are holding office, to furnish to the District Collector or the Inquiry Officer with all the information or documents in their possession.

(*7*) A person holding an inquiry may summon and examine any person on oath who, he has reason to believe, has knowledge of any affairs of the society and may summon any person to produce any books of account or documents belonging to him or in his custody, if the person holding the inquiry has reason to believe that such books of account or documents contain any entries relating to transactions of the society.

(*8*) A person holding an inquiry may, if in his opinion it is necessary for the purpose of inquiry, seize any or all the documents:

Provided that any person from whose custody such documents are seized shall be entitled to a receipt thereof and make copies thereof.

(*9*) If the inquiry is held by a person, other than the Registrar then he shall send the report to the Registrar along with his recommendations:

Provided that if such inquiry is held by the Registrar himself, he shall forward the report to the Registrar General along with his recommendations.

(*10*) The inquiry report shall be communicated to the society and the applicants, if any.

Action on inquiry report.

30. The Registrar shall consider the inquiry report along with the recommendations of the person holding inquiry, if any, and take any of the following action, namely:—

(*i*) where no irregularities, whatsoever, of procedural or material nature, are found to have been committed by the Governing Body, he shall order closure of the inquiry along with information thereof to the society and complainants, if any;

(*ii*) where the irregularities or violations committed by the society are found to be of procedural nature, which are rectifiable, he shall direct the society to take recourse to such corrective measures within such time, as he may deem appropriate; or

(*iii*) where the irregularities or violations committed by the society are found to be of a serious or material nature, he shall pass any other appropriate order to meet the ends of justice.

Supersession of Governing Body and appointment of Officer.

31. (*1*) Where, based on inspection, inquiry or audit under this Regulation, the Registrar submits a report or recommendation indicating that the Governing Body or a society is not functioning in accordance with the provisions of this Regulation or is acting against the interest of its members, the Registrar shall forward such report or recommendation to the Registrar General.

(*2*) Upon receipt of the report, if the Registrar General is of the opinion that a *prima facie* case is made out for supersession of the Governing Body, he shall issue a show cause notice indicating the proposed action, consider the response of the society, and if so requested, provide an opportunity of hearing, before passing appropriate order.

(*3*) The Registrar General, after considering the reply, shall pass an order and may appoint an Officer to manage the affairs of the society with such directions as deemed appropriate and the orders passed by the Registrar General in this behalf shall be final.

(*4*) The Officer so appointed under sub-section (*2*), shall be a Group "B" Officer or of equivalent rank in the service of the Government or any statutory authority or such person who may have retired from a Group "B" or equivalent post from the Government or the Central Government or a statutory authority.

(*5*) Where a retired person is appointed as the Officer, the Registrar General may fix the honorarium or remuneration to be paid to the Officer during the course of his appointment at the prescribed rates and direct such expenditure to be defrayed from the funds of the society.

(*6*) The Officer appointed under sub-section (*3*) may hold office for a period which shall not exceed one year in the first instance, but whose term may be extended for such further period, as considered necessary, subject to the same not exceeding three years in total.

(*7*) On the appointment of the Officer, the Governing Body shall cease to exercise any powers and perform and discharge any functions or duties conferred or imposed on it under this Regulation or the bye-laws.

(*8*) The Officer shall exercise all the powers of the Governing Body and perform all such functions or duties during the course of his appointment as provided in the bye-laws, subject to any directions from the Registrar General.

(*9*) The Officer may, before the expiry of his term, take necessary action to hold the election of the Governing Body, if so required.

(*10*) If the Officer is, for reasons beyond his control, not able to hold the election of the Governing Body or fails to convene a meeting of the General Body, as the case may be, or in spite of such meeting having been convened, the General Body fails to elect the Governing Body, the Officer shall forthwith send a report to the Registrar who may pass such orders, as may be considered necessary or expedient, either extending the term of appointment of the Officer for a further period or, if satisfied that public interest so necessitates, for the dissolution of the society.

(*11*) The Registrar may, if he thinks appropriate, appoint a committee to advise and assist the Officer so appointed for exercise of the powers and discharge of the duties and functions conferred or imposed on him under this Regulation.

(*12*) Where an order of dissolution is passed under sub-section (*10*), further action shall be taken in accordance with the provisions of this Regulation.

(*13*) The members of the committee referred to in sub-section (*11*) shall have such qualifications, as may be prescribed and shall hold the office during the pleasure of the Registrar.

CHAPTER XII

SUSPENSION, CANCELLATION AND DISSOLUTION

Removal of defunct society and cancellation of registration.

32. (*1*) The Registrar, if he has reasonable cause to believe that a society is defunct and is not carrying on business or operations, shall issue a show cause notice to such society, at its registered office enquiring as to whether it is carrying on its business or operations and directing them to file such documents or returns, within a period of ninety days, from the date of issuance of notice.

(*2*) Where the defunct society responds to such notice within specified period and submits the requisite documents or informs along with evidence that it is carrying on business or operations, the Registrar shall, after due verification of records, pass an appropriate order.

(*3*) If the Registrar receives a reply from the defunct society to the effect that it is not carrying on any business or operations, he may direct the society to convene a meeting of its General Body and pass a special resolution for its dissolution after settling all its liabilities and thereafter apply for dissolution of the society, whereupon it shall be incumbent upon such society to carry out such directions, within specified period.

(*4*) Where the Registrar does not receive any reply within specified period, he shall cause a public notice to be issued stating that on the expiration of such period as may be specified in such notice, the registration of such defunct society shall be suspended.

(*5*) If no response is received from the defunct society, its member, creditor or claimant within the specified period, the Registrar shall order suspension of registration of such society and after passing of such order, the society shall not be competent to carry on any business.

(*6*) An order under sub-section (*5*) suspending the registration of the society shall be notified through a public notice for the information of general public.

(*7*) The society, member, creditor or claimant aggrieved with such suspension, may, within a period of three months from the date of order of suspension, submit a representation to the Registrar.

(*8*) The Registrar, on being satisfied that the society at the time of its suspension, was carrying on business or operations or otherwise and it is just and equitable that the name of the society be restored to the register, may revoke the suspension.

(*9*) The society whose registration is restored shall be deemed to have continued in existence, as if its registration had not been suspended.

(*10*) No claims, whatsoever, shall be valid and entertained against a society on expiry of a period of three months from the date of suspension of its registration.

(*11*) If no representation against the suspension order is received within a period of three months from the date of suspension of registration, the Registrar may, unless contrary is shown, strike off the name of the society from the register and cancel its registration.

Cancellation of registration of society with no assets and liabilities.

33. A society, which has no assets or liabilities to its account and is not desirous of carrying on with its business or operations, may, after passing a special resolution, apply for cancellation of its registration to the Registrar and the Registrar shall, after giving a public notice of not less than ninety days inviting objections, strike out its name from the register of societies, after considering objections, if any.

Cancellation of registration upon inquiry.

34. (*1*) The Registrar may, if he is satisfied,—

(*i*) that the society has contravened any of the provisions of this Regulation or the rules made thereunder;

(*ii*) that the society is insolvent;

(*iii*) that the business of any such society is conducted fraudulently or not in accordance with its bye-laws or the aims and objects specified in its Memorandum; or

(*iv*) that it is carrying on any unlawful activity or allowing unlawful activity to be carried on in the premises under its control,

he may order an inquiry to be conducted by any other officer authorised by him.

(*2*) On receipt of inquiry report, the Registrar may, give a show cause notice to the society specifying briefly the grounds of the proposed cancellation.

(*3*) A public notice inviting objections shall also be published after giving an opportunity to the society and after issuing public notice inviting objections, as to why the registration of the society be not cancelled and after considering the objections filed by society and public, the Registrar may cancel the registration.

Explanation.—For the removal of doubts, it is hereby clarified that, an activity shall be deemed to be unlawful if such activity is an offence punishable under any provision of law, for the time being in force in the Union territory.

Effect of cancellation of registration.

35. When the registration of a society is cancelled, the society shall forthwith cease to carry on its business, except in so far as it may be required for the beneficial winding up of its affairs, for which purpose it shall pass a special resolution and dissolve itself in the manner as provided in this Regulation:

Provided that the liability of office bearer shall continue and may be enforced as if the registration of society had not been cancelled.

Procedure on cancellation of registration.

36. (*1*) Where the registration of a society is cancelled, the Registrar shall—

(*i*) direct the society to complete the process of its dissolution by passing a special resolution, collect all its receivables and settle all its liabilities, provide the details of any of its assets left over after settlement of the liabilities and submit a proposal for transfer of its left-over assets to any other society in existence with identical aims and objects;

(*ii*) assess the credentials of a society to whom any such assets are proposed to be transferred by the society under clause (*i*) and may either approve such proposal or direct the society to place such assets at the disposal of the District Collector;

(*iii*) constitute a committee of members of such society to carry out the process of dissolution of the society where there is no Governing Body or General Body to carry out the directions under clause (*i*);

(*iv*) be competent to complete the dissolution of the affairs of the society of his own or by appointing any of his subordinates to do the needful where it is not found feasible to constitute a committee of members of such society and in such case the Registrar shall associate any two members from any other society in existence for this purpose.

(*2*) If on dissolution and after settlement of all the liabilities, a society is left with any movable or immovable assets, the Registrar shall, in the first instance, make efforts to transfer all such assets to any other society in existence with identical aims and objects in operation against a proper receipt, failing which, all such assets shall vest in the custody of the District Collector.

(*3*) Where any assets are placed at the disposal of the District Collector, he may either direct the transfer thereof to a society in operation with identical aims and objects or use such assets preferably for the same purpose or for any other public purpose.

Dissolution by special resolution.

37. (*1*) A society may resolve to dissolve itself by passing a special resolution in a meeting of the General Body convened for the purpose.

(*2*) On passing of the special resolution under sub-section (*1*), the Governing Body shall take all necessary steps for settlement of all claims and liabilities, as it may consider appropriate in accordance with its bye-laws and if there are no bye-laws, in accordance with the provisions of this Regulation.

(*3*) If any dispute arises amongst the members of the society, the Governing Body, or the special committee, regarding the winding up of the affairs of the society, it shall be referred to the Registrar for such directions, as he may consider appropriate:

Provided that the special resolution for dissolution of the society shall not be deemed to be a matter in dispute.

(*4*) If the Central Government or Government or any of its instrumentalities is a member of or a contributory to or otherwise interested in any society, such society shall not be dissolved without the consent of the Central Government or Government, as the case may be.

(*5*) After completion of all necessary formalities, the Governing Body shall send a report to the Registrar, mentioning about the surplus assets, if any.

(*6*) The Registrar shall thereupon cause a public notice issued at the expense of the society inviting objections for dissolution of society from any person interested in the affairs of such society within the period specified in the notice, which shall in no case be less than three months from the date of notice.

(*7*) If no objection is received from any claimant, creditor or member of the society within three months from the date of issue of such public notice, and after the surplus assets, if any, have been disposed of under section 39, the Registrar shall make an order confirming the dissolution and thereupon the society shall stand dissolved and the Registrar shall record the order of dissolution in the register maintained in his office and strike off the name of the society from such register.

(*8*) If any objection is received from any claimant or creditor or member or any other interested person within the period mentioned in sub-section (*7*), the Registrar shall not make an order confirming the dissolution of the society unless he is satisfied that the relevant claim or liability have been duly settled and the surplus assets, if any, have been disposed of as provided in this Regulation.

Dissolution and winding up by Registrar.

38. (*1*) Where the registration of a society is cancelled and it is found to be fit for dissolution under section 32 or where the Government consents to dissolve a society under section 37, the Registrar General or the Registrar, as the case may be, shall order dissolution of such society in accordance with the procedure specified in this Regulation.

(*2*) Upon dissolution of a society under sub-section (*1*), the Registrar General or the Registrar, as the case may be, shall take action for winding up the affairs of the dissolved society in accordance with the provisions contained in this Regulation.

Disposal of assets.

39. (*1*) Notwithstanding anything contained in section 36, after the settlement of claims and liabilities of society, where any surplus assets are left, such assets shall not be paid to or distributed amongst the members of the society, but shall be taken over and vest in the Government:

Provided that in case of a housing society or a resident welfare association is registered as a society, the operation, management and maintenance of facilities for the residents or civic amenities of any defined area, the successor-in-interest shall step in the shoes of original member, subject to fulfilment of qualifications as laid down in the bye-laws of the society and the provisions of this Regulation.

(*2*) The Government shall place such assets at the disposal of the District Collector, who may,—

(*i*) in the first instance identify any other society in operation with identical aims and objects and transfer such assets to such society;

(*ii*) use such assets, preferably for the purpose for which such assets were created; or

(*iii*) for any other public purpose, as deemed appropriate.

(*3*) The records of accounts shall be maintained for a period of three years from the date of dissolution and in case any matter pertaining to any such society is pending before any court, such records shall be maintained till the final disposal of such matter by the competent court.

CHAPTER XIII

OFFENCES AND PENALTIES

Penalties for non-compliance.

40. If a society fails to comply with any of the provisions of this Regulation or contravenes any of the provisions thereof, then the society in default shall be liable to penalty which may extend up to two thousand rupees, and in case of a continuing default or contravention, with penalty which may extend to one hundred rupees for each day during which such default or contravention continues.

Registrar to recover cost from society.

41. Where any society fails to rectify the defects directed by the Registrar and where no appeal has been made to the Registrar General under sub-section (*1*) of section 49 or where such appeal has been made and the Registrar General has not annulled, reversed or modified the order, the Registrar may take steps to have the defects rectified and may recover the cost, which were incurred for rectification of such defects from the officers of the society, who, in his opinion have failed to rectify the defects.

Penalty for falsifying any document.

42. If an office bearer or any employee of the society knowingly or intentionally makes or causes to be made any false entry in, or any omission from any register, account, balance-sheet, or other document, required to be maintained by a society under this Regulation, he shall be liable to penalty which may extend to five thousand rupees and may be removed from the membership of the society.

Penalty for furnishing false information or disobeying summons, requisition or other order or direction.

43. If any office bearer knowingly or intentionally makes a false return or furnishes false information or wilfully or without any reasonable reason, disobeys any summons, requisition, or other lawful order or direction issued under the provisions of this Regulation or withholds or fails to furnish any information lawfully required from him by the Registrar or Registrar General or person authorised in this behalf under the provisions of this Regulation, he shall be liable to penalty which may extend to five thousand rupees, and in the case of a continuing default or contravention, with penalty which may extend to two hundred rupees for each day during such default or contravention continues.

Crediting of penalties.

44. The penalties under this Chapter shall be imposed by the Registrar General or Registrar or any officer authorised in this behalf by the Registrar General or Registrar, and such sum of penalties shall be credited to the Consolidated Fund of India.

Recourse mechanism.

45. Any party aggrieved by the penalty imposed under sections 40, 42 and 43, shall have the following recourse, namely:—

(*i*) the society concerned may make an appeal, against any penalty imposed under sections 40, 42 and 43, to the Registrar General within a period of sixty days from the date of the imposition of such penalty;

(*ii*) the Registrar General may, in deciding the appeal, annul, reverse, modify or confirm the order of the Registrar; and

(*iii*) where the society fails to rectify the defects directed by the Registrar and where no appeal has been made to the Registrar General under clause (*i*) or where on the appeal so made, the Registrar General has not annulled, reversed or modified the order, the Registrar may himself take steps to have the defects rectified, and may recover the cost from the officers of the society who, in his opinion, have failed to rectify the defects.

Power of Registrar to condone delay in certain cases.

46. The Registrar may, upon an application in writing received from any society and on sufficient cause being shown, allow further time to such society to comply with any of the provisions of this Regulation on payment of such late fees, as may be prescribed.

CHAPTER XIV

MISCELLANEOUS

Legal representation and authority.

47. (*1*) The committee or any office bearer of the society authorised in this behalf by its bye-laws, may bring or defend any action or other legal proceedings touching or concerning any property or any right or claim of the society and may sue or be sued in its name.

(*2*) No suit or other legal proceedings shall abate due to any vacancy or change in the position of the President, the Secretary or any office bearer authorised under sub-section (*1*).

Enforcement of judgment.

48. The judgment which shall be delivered against any office bearer of the society, shall not be enforced against such office bearer or his property, either movable or immovable, but shall be enforced against the property of the society.

Appeal and review in case of matters, other than penalties.

49. (*1*) Any society or person aggrieved by an order of the Registrar may, prefer an appeal to the Registrar General within a period of sixty days from the date of issuance of such order.

(*2*) Any society or person aggrieved by an order of the Registrar General, may file an application in such form, as may be prescribed, before the Government within a period of sixty days from the date of issuance of such order.

(*3*) Any society or person who fails to file the aforesaid appeal or application, as the case may be, within the period of sixty days, and if the society or person has shown sufficient cause for not preferring the appeal or application within such period, such appeal or application may be entertained even after the expiry of the said period, but not later than another sixty days.

(*4*) The decision of the Government shall be final and binding on the parties.

(*5*) Every appeal or application referred to in this section shall be in such form and accompanied by such fee as may be prescribed.

(*6*) Notwithstanding anything contained in this section, an order passed by the Registrar or the Registrar General may be reviewed by such prescribed authority, on an application filed by the aggrieved party within a period of ninety days from the date of issuance of such order.

Registrar General and other officers to be public servants.

50. Every officer exercising or authorised to exercise powers under this Regulation or the rules made thereunder shall be deemed to be a public servant within the meaning of clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 and clause (*c*) of section 2 of the Prevention of Corruption Act, 1988.

45 of 2023.

49 of 1988.

Protection of action taken in good faith.

51. No suit, prosecution or other legal proceedings shall lie against the Registrar General or any officer or official subordinate to him or acting under his authority, in respect of anything done or intended to be done in good faith under this Regulation.

Acts or proceedings not to be invalidated by certain defects.

52. No act or proceedings of a society or any of its office bearer, shall be deemed to have been invalid merely by reason of any vacancy or defect in the organisation of the society.

Mode of service of notice or order.

53. Any notice, order or requisition meant for a society or for the Governing Body thereof to be issued by the Registrar or the Registrar General or any other person or body related to it, shall be served on the President or Secretary of the society, and such services shall be effectual as if the same had been served on every member.

Public document.

54. All documents filed by a society with the Registrar under this Regulation shall be deemed to be public documents within the meaning of section 74 of the Bharatiya Sakshya Adhiniyam, 2023.

47 of 2023.

E-governance.

55. The Government may, as soon as possible, introduce e-governance for effective and efficient administration of the provisions of this Regulation, and upon implementation of such a solution, all or part of the transactions, forms, payments, and other services under this Regulation, may be administered in the electronic or online mode.

Governance.

56. Save as otherwise provided in this Regulation, the provisions of this Regulation shall have effect notwithstanding anything inconsistent therewith contained in any other laws of the Union territory, for the time being in force.

Bar of jurisdiction of civil courts.

57. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the Registrar, the Registrar General, or any other authority empowered under this Regulation is required to determine; and no injunction shall be granted by any court or other authority in respect of any action taken in pursuance of any power conferred by or under this Regulation.

Settlement of disputes, distribution of surplus, fees and recovery of dues.

58. (*1*) Any dispute relating to membership, including admission, termination or rights of members, shall be decided by the Registrar or such authority as may be specified under the rules and the decision of the Registrar in this regard shall be binding, subject to appeal as provided under section 49.

(*2*) The utilisation or distribution of any surplus, dividend or profit among the members shall be subject to the conditions and limits as may be prescribed ensuing transparency and equitable benefit-sharing.

(*3*) The fees payable for registration, filing of documents, inspections, certifications or any other service rendered under this Regulation shall be such as may be prescribed.

(*4*) Any amount due to the Government, the Registrar or the society under this Regulation, including penalties or prescribed fees, shall be recoverable as arrears of land revenue in such manner, as may be prescribed.

Power to issue directions.

59. The Government shall issue such directions to any society, as it may deem appropriate, for the proper enforcement of the provisions of this Regulation and the rules made thereunder.

Power to make rules and laying.

60. (*1*) The Administrator may, by notification, make rules not inconsistent with the provisions of this Regulation, for carrying out the purposes of this Regulation.

(*2*) Every rule made under this Regulation shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Act to have overriding effect.

61. The provisions of this Regulation shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force in the Union territory.

Removal of difficulties.

62. (*1*) If any difficulty arises in giving effect to the provisions of this Regulation, the Administrator may, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Regulation, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Regulation.

(*2*) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

Repeal and saving.

63. (*1*) The Societies Registration Act, 1860, in its application to the Union territory of Lakshadweep is hereby repealed. 21 of 1860.

(*2*) Notwithstanding such repeal, anything done or any action taken under the said Act (including any order, rule, regulation, instructions, certificate or bye-laws) in the exercise of any power conferred by or under the repealed Act shall be deemed to have been done or taken in the exercise of the powers conferred by corresponding provisions of this Regulation.

(*3*) Subject to sub-section (*4*) of section 6, any society registered at any place in the Union territory of Lakshadweep under the Societies Registration Act, 1860, shall be deemed to have been registered under this Regulation, and its principal office shall be deemed to be the registered office: 21 of 1860.

Provided that—

(*i*) the Memorandum and the bye-laws of any such society, to the extent they are inconsistent with any of the provisions of this Regulation and the rules made thereunder, shall be brought in conformity with the provisions of this Regulation within a period of two years from the date of commencement of this Regulation or within such further period as the Government may allow, and thereafter, to the extent of such repugnancy or inconsistency, be deemed to be void and of no effect;

(*ii*) any officer elected or appointed to and holding office immediately before the commencement of this Regulation shall continue to hold such office until the expiry of his term of office or until such office is lawfully terminated.

(*4*) Nothing under this Regulation shall affect any right, privilege, obligation, liability or punishment provided under the repealed Act:

Provided that any investigation or proceedings, including proceedings for dissolution, or the supersession of the Governing Body or appointment of an administrator commenced before the coming into force of this Regulation, shall be continued and conducted in accordance with the provisions contained in this Regulation.

(*5*) The mention of particular matters referred to in this section shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeal.

10 of 1897.

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DROUPADI MURMU,
President.

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DR. RAJIV MANI,
Secretary to the Govt. of India.

ADMINISTRATION OF
U.T. OF LAKSHADWEEP
LAKSHADWEEP POLICE
(HOME DEPARTMENT)

No. 1/4/2025-Pol Dated.12th December, 2025

NOTIFICATION

1. These rules may be called the e-Sakshya Management (Lakshadweep) Rules, 2025.
2. They shall come into force immediately.
3. (1) In these rules, unless the context otherwise requires,

(a) "Court software" means a system software used by the courts in the District Judiciary or the High courts, as specified by the High Court, for the case management, collection of data, execution of instructions or such other functions and includes, Case Information System (CIS), Case Management System (CMS), Disctict6 Court Case Management System (DCMS), 24*7 On Courts, and Virtual Courts.

(b) "eSign" means authentication of any electronic record by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (21 of 2000) and includes authentication by electronic signature or digital signature or such other means of authentication as the High Court may prescribe

(c) "Investigating Officer" means any police officer or any other person authorized by a competent authority or empowered to undertake investigation for any offence and shall include any subordinate of such police officer or public servant not below the rank of Civil Police Officer authorized to record Sakshya

(d) "Investigation agency software" means a system software, used by the Police or other investigating agencies, as specified by the Central Government or the State Government and notified to the High Court, for the collection of data and execution of instructions and includes Crime and Criminal Tracking Network and Systems (CCTNS);

(e) "High Court" means the High Court of Kerala.

(f) "Interoperability Software" means any software for transfer of information among various pillars of the criminal justice system, such as the investigating agencies, courts, correctional homes, forensic laboratories, prosecution or any other stakeholder as notified by the central government and includes Inter-operable Criminal Justice System (ICJS);

(g) "Sakshya ID" or "SID" means the unique digital identification number assigned at the time of recording of materials through the Mobile Application or any other

digital platform or application as may be approved by the State Government from time to time, which identifies and authenticates the corresponding eSakshya Packet along with its associated metadata, including time and location;

(h) "eSakshya Packet" means a secure digital file automatically generated by the eSakshya Mobile Application or any other digital platform or application as may be approved by the State Government from time to time, at the time of recording of materials, containing the recorded content along with metadata including a unique SID, opening and closing timestamps, geo-location, and a unique hash value to ensure integrity and stored in immutable storage;

(i) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023);

(j) "Authenticated Digital Recording or "Sakshya" means and includes any audio-video recording or photographic material collected or documented through the eSakshya Mobile Application or any other digital platform as may be approved by the State Government, which automatically generates a secure eSakshya Packet containing a unique digital identification number (SID), opening and closing timestamps, geo-location metadata, with a unique hash value to ensure integrity, and which is stored in immutable storage.

(h) "State Government" means Administrator of U.T of Lakshadweep.

(2) Words and expressions used, but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagrik Suraksha Sanhita, 2023 (46 of 2023); "the Bharatiya Nyaya Sanhita, 2023 (45 of 2023); the Bharatiya Sakshya Adhiniyam, 2023, (47 of 2023), the Information Technology Act, 2000 (21 of 2000) and Criminal Rules of Practice or allied Rules promulgated by the High Court or the State or Central Government in exercise of the powers under the Bharatiya Nagrik Suraksha Sanhita, 2023.

4. Role, responsibility and duties of Investigating Officer:

(1) Every Investigating Officer

shall record Authenticated Digital Recordings or Sakshya through the eSakshya Mobile Application or any other digital platform or application as may be approved by the State Government from time to time.

(2) The Investigating Officer shall link the SID with the corresponding FIR number or General Diary (GD) number generated through the Investigation Agency Software.

(3) The Sakshya uploaded to the immutable storage shall be sent or forwarded to the magistrate through the interoperability software as required under section 105 and 185 of the Sanhita.

(4) It shall be the duty of the Investigating Officer;

(a) to generate the certificate required under clause (c) of sub-section (4) of section 63 of the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023), through the eSakshya Mobile Application or any other digital platform or application as may be approved by the State Government from time to time or prepare the same physically where there is no facility to prepare the certificate automatically and to complete Part A of the certificate;

(b) to ensure that Part B of the certificate under clause (c) of sub-section (4) of section 63 of the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023) is duly completed by an expert as required;

(c) to ensure that the certificate is either physically signed or eSigned by the persons mentioned therein and;

(d) to forward the completed certificate to the court without delay.

(5) The investigating officer shall intimate the court, electronically or otherwise, that the Authenticated Digital Recordings or Sakshya had been uploaded to immutable storage, by way of a memorandum immediately on such uploading.

5. Role, responsibility and duties of the court:

(1) Where the Court is satisfied that it is necessary in the interest of justice, it may permit a copy of the Authenticated Digital Recordings or Sakshya or to be furnished to the accused and to the victim, if represented by an advocate, subject to such conditions as it may deem fit, and in accordance with the provisions of section 230 of this Sanhita.

(2) The court may access and view the Authenticated Digital Recordings or Sakshya through the court software.

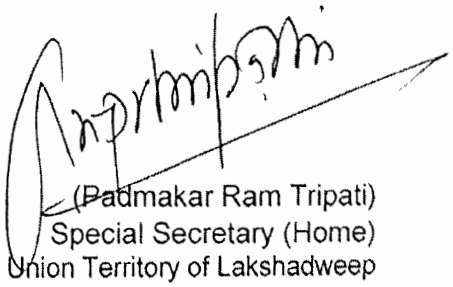
(3 On completion of the proceedings, including appeal, the eSakshya packet will be safely stored and marked as archived, so that it will be preserved for record but cannot be changed or edited.

6. General Provisions:

(1) Nothing in these rules shall be deemed to limit the power of the Courts to view the Sakshya by the Court.

(2) These rules shall be in addition to, and not in derogation of any other law or rules for time being in force for accepting and managing Sakshya by the Court in terms of the provisions of Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023).

By Order and in the Name of
the Administrator of Union Territory of
Lakshadweep



(Padmakar Ram Tripati)
Special Secretary (Home)
Union Territory of Lakshadweep

ADMINISTRATION OF
U.T. OF LAKSHADWEEP
LAKSHADWEEP POLICE
(HOME DEPARTMENT)

No. 1/4/2025-Pol Dated.12th December, 2025

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 64 and of clause (i) of section 530 and other enabling provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023(46 of 2023), in its application to the UT of Lakshadweep, the Administrator of Lakshadweep hereby, makes the following rules, namely: -

1. These rules may be called the Lakshadweep Electronic Processes (Issuance, Service and Execution) Rules, 2025."
2. They shall come into force at once.
3. (1) In these rules, unless the context otherwise requires

   (a) "Court software" means a system software used by the District Judiciary or the High Courts for the case management, collection of data, execution of instructions or such other functions and includes Case Information System (CIS), Case Management System(CMS), District Court Case Management System (DCMS), 24*7 On Courts, and Virtual Courts;

   (b) "Investigation agency software" means a system software used by the Police or other investigating agencies for the collection of data, execution of instructions or such other activities and includes Crime and Criminal Tracking Network and Systems (CCTNS);

   (c) "Interoperability Software" means any software for transfer of information among various pillars of the criminal justice system, such as the investigating agencies, courts, correctional homes, forensic laboratories, prosecution or any other stakeholder as notified by the central government and includes Inter-operable Criminal Justice System (ICJS).

   (d) "Disclosed electronic communication address" means the electronic messaging account of the person or organisation which such person uses in the ordinary course to send and receive messages over internet and is shown to be admitted or provided by such person or organisation either personally or on a website or portal and includes email ID and other

electronic communication ID including whatsapp or telegram.

(e) "eSign" means authentication of any electronic record by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (21 of 2000) and includes authentication by electronic signature or digital signature or such other means of authentication as the High Court may prescribe.

(f) "Process" includes all communications issued from court to parties and witnesses and includes summons, warrant, notices or any other matter that is specifically prescribed by the U.T of Lakshadweep Administration or High Court from time to time.

(g) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023);"

(h) "Seal" includes image of the seal of the Court;"

(i) "High Court" means High Court of Kerala.

2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (45 of 2023); the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023) and the Information Technology Act, 2000 (21 of 2000).

4. Requirements of process through electronic communication:

(1) Every process issued in electronic form under the Sanhita shall ordinarily be written in the language of the Court.

(2) The summons or any other process other than a warrant of arrest generated in electronic form shall bear the image of the seal of the court and shall be issued under the eSign of the Court or the Judge or the Chief Ministerial Officer or such other officer of the Court as the High Court may designate from time to time.

(3) Every warrant of arrest in electronic form shall be issued under the eSign of the Presiding Officer of the Court or of the Court itself and shall also bear the image of the seal of the Court.

(4) The electronic process shall clearly indicate, either within the eSign, metadata or elsewhere in the document, the name of the Court and the designation of the person subscribing to it.

(5) The Court shall generate and issue process in electronic form through the Court Software, in the Form prescribed in the Second Schedule of the Sanhita with necessary variations as circumstances may require.

(6) When the disclosed electronic communication address of the required person or organisation is available, such process shall be sent through electronic communication from the Court. (Refer proviso to S.64(2) of the Sanhita

(7) The High Court of Kerala may notify such officers or class of officers of the Court within its jurisdiction, for effecting service of summons under S.64(1) of the

Sanhita.

(8) When the Court does not have the disclosed electronic communication address of the required person or organisation, or when it deems fit, the Court may direct the same to be served by a Police Officer or any Officer notified as per Sub Rule (7).

(9) Where a process has been issued otherwise than in electronic form and bears a physical signature, the Court may transmit a scanned copy of such process through electronic communication using the Interoperability Software for the purpose of service by a Police Officer or any other authorised public servant. Such public servants shall include the following:

i. Officials of the Department of Excise up to the rank of Assistant Excise Commissioner.

ii. Officials of the Department of Forest and Wildlife up to the rank of Assistant Forest Conservator.

iii. Officials of the Department of Motor Vehicles up to the rank of Joint Regional Transport Officer.

iv. Officials of the Department of Revenue up to the rank of Deputy Collector and Revenue Divisional Officer.

v. Officials of Local Self Government Institutions up to the rank of Panchayat Secretary, Municipal Secretary, or Corporation Secretary.

vi. Officials of the Department of Labour up to the rank of District Labour Officer.

vii. Officials of the Department of Geology up to the rank of Geologist.

viii. All Health Inspectors attached to state-run hospitals up to the Medical College level.

ix. All Food Safety Officers.

x. All officials of the Department of Legal Metrology (Weights and Measures) up to the rank of Inspector.

xi. All officials of the Department of Civil Supplies up to the rank of District Supply Officer.

xii. All officials of the Department of Registration up to the rank of Sub-Registrar.

5. Receipt of process:

(1) Where any process is received in the Investigating Agency Software from the Court Software through Interoperability Software or by any other authorised electronic means, it shall be presumed to have been duly issued by the Court.

(2) Any printout taken from the electronic communication of such a process by the designated person shall have the same legal effect as the original process for the purpose of its execution.

6. Duty of the Investigating Officer:

(1)The Officer-in-charge of the Police Station shall ascertain and record, in

respect of every person arraigned as an accused or cited as a witness, the following details:

(a) In the case of an accused, a recent photograph, as far as practicable,

(b) In the case of accused and witnesses their precise residential address;

(c) In the case of accused and witnesses their place of business if any; and disclosed electronic communication address, whether:

i. expressly provided by such person in the course of arrest inquiry, or investigation; or

ii. appearing on any website or portal as used or admitted by such person in the ordinary course.

(2) The details referred to in this rule shall be entered in the Register in Form No. 1 maintained at the Police Station under sub-section (1) of section 64 of the Sanhita, in electronic form or otherwise and be recorded in electronic form for the purposes of issuance and service of process under the Sanhita.

(3) In the case of an accused, as far as practicable, such person shall be required to confirm or declare their designated electronic communication address in writing or electronically, in Form No. 2. A copy of such declaration shall be retained in the case file and uploaded to the Investigation Agency software.

(4) Where any such details are not available, the Officer-in-charge shall make an endorsement to that effect in the Register showing in the remarks column the reason for the said detail not being available.

Provided that such details may be updated upon further verification or upon an application by the person concerned.

(5) In cases instituted on a private complaint, the complainant shall, as far as possible, provide the above-mentioned details of the accused and witnesses. Where any such detail is unavailable, the complainant shall make an endorsement to that effect in the complaint.

(6) The information thus collected shall be maintained in electronic form in the Investigating Agency Software and Court Software and may be used for the issuance and service of any process that may be issued by the court.

(7) The details relating to disclosed electronic mail address, phone number and messaging application of the victim and witnesses shall not be disclosed to the accused, otherwise than under a special order of the court.

(8) The Officer-in-charge of the Police Station or any Subordinate Officer deputed by him upon receipt of summons issued in pursuance of rule 4 may forward the summons on the disclosed electronic mail address, phone number or messaging application of the person summoned.

(9) Where processes are served by electronic communication, service shall be deemed to have been completed, if the service provider generates an acknowledgement of delivery.

(10) When a process is sent to a person or organisation at a disclosed electronic communication address, delivery shall be deemed to have been completed,

unless a system-generated failure or bounce-back notification is received; and unless the contrary is proved, it shall be deemed to have been effected at the time the electronic communication would ordinarily have been delivered.

7 Service and Execution of Process by Electronic and Other Modes :

(1) Where summons or any other process is served through electronic communication, including electronic mail or messaging applications, the acknowledgment of receipt shall form part of the report of service, and such report shall contain the mobile number and the messaging application used, the disclosed electronic communication address, and a screenshot or photograph reflecting delivery of the communication.

(2) The delivery of the process by electronic communication may be deemed to be due service, and a copy of such summons or process along with the report of service shall be retained on record as proof of such service.

(3) For the purposes of this rule, acknowledgment includes any communication by the addressee, whether automated or otherwise, or any conduct of the addressee that is sufficient to indicate to the originator that the electronic record has been received.

(4) Where the disclosed electronic communication address is not available, the officer-in-charge of the police station or any police officer deputed for such purpose shall make an entry to that effect in the appropriate register, and shall, after taking a printout in duplicate of the summons or process issued in electronic mode, execute the same in accordance with the procedure prescribed under the Sanhita.

(5) Where the summons or other process is not served by electronic communication, or where the delivery is disrupted or undelivered or bounced back for any reason, the concerned officer shall prepare a report in that regard containing all relevant details, including the mobile number and messaging application used, and a screenshot or photograph reflecting confirmation of failed delivery, and may proceed to effect service in any other mode as provided in the Sanhita.

(6) Where a warrant or any other process required to be served or executed in person is issued in electronic mode, the officer-in-charge of the police station or any police officer deputed by him shall take a printout of such warrant or process and execute the same in accordance with the provisions of the Sanhita and the rules made thereunder.

(7) Where any process is served or executed other than through electronic mode, the police officer making such service or executing such process shall take the acknowledgment of the recipient and may capture a photograph, both of which shall form part of the report of service.

(8) Upon due service or non-service of the warrant or other process, the serving officer of the concerned police station shall transmit the report of such service, along with relevant documents including bail bonds, photographs, acknowledgments if any, to the concerned Court, in electronic form, through the

Investigation Agency Software, and the Court may act upon such report as deemed appropriate.

(9) The electronic report so transmitted, or any printout of such report, shall be deemed to be original for the purposes of satisfaction of service or execution of the process under the Sanhita

(10) Where any process is issued in relation to an offence punishable under sections 64 to 71 of the Bharatiya Nyaya Sanhita, 2023, or in cases involving offences against women or children, including offences under the Protection of Children from Sexual Offences Act, 2012 and the Juvenile Justice (Care and Protection of Children) Act, 2015, the concerned officer shall ensure that the identity of the victim is not revealed in any manner during the course of service or execution of such process.

(11) The Mode of Service and its report by the officer notified as per sub-rule 4(7) shall be as prescribed by the High Court from time to time.

8. Miscellaneous: Any rule made in this behalf shall be in addition to, not in derogation of, any other law or rules made by the High Court to specify for the time being in force for issuance, service and execution of process by the Court.

By Order and in the Name of
the Administrator of Union Territory of
Lakshadweep

(Padmakar Ram Tripati)
Special Secretary (Home)
Union Territory of Lakshadweep

Form-1

[see Rule 6(2)]

Summons Process Register of .....Station for the month of .....20.....

(Maintained under section 64(1) of Bharatiya Nagarik Suraksha Sanhita, 2023)

Sr. No.	By whom issued (name of court)	Name of person at whose instance issued	Name of person entered in process including details of father/ mother/ spouse, permanent and present address, Mobile No. and e-mail address, etc. and section of law	Nature of process	Nature of offence or object of process	Date of issue	Date of hearing	Date & hour of receipt by police	Date and hour of endorsement for execution and to whom endorsed	How, when and by whom execute	Why not executed	Date of return to court	Remarks in the unexecuted warrants (state whether relevant sections of BNSS have been put in force)
1	2	3	4	5	6	7	8	9	10	11	12	13	14

ADMINISTRATION OF
U.T. OF LAKSHADWEEP
LAKSHADWEEP POLICE
(HOME DEPARTMENT)

No. 1/4/2025-Pol Dated.12th December, 2025

NOTIFICATION

In relation to Section 4(f) of the Bharatiya Nyaya Sanhita, 2023, and exercise of the powers conferred by relevant sections of Bharatiya Nagarik Suraksha Sanhita, 2023, the U.T of Lakshadweep Administration in consultation with the Hon'ble High Court of Kerala, hereby makes the following guidelines for award of community Services as punishment:-

1. The punishment of community service shall be imposed only by a court of competent jurisdiction after finding the accused guilty of the offences punishable under Sections 202, 209, 226, 303(2), 355 and 356(2) of the Bharatiya Nyaya Sanhita, 2023.
2. Since the statute is silent on who may supervise community service punishments, careful consideration is required in appointing suitable individuals. Currently, it is suggested that probation officers, DLSA secretaries or any other persons deemed fit and proper by the court be entrusted with this responsibility.
3. It would be beneficial officers to receive a comprehensive report on the accused's background and other relevant aspects before imposing community service as punishment. A specific timeline should be established to ensure timely submission of such reports. The court may consider the nature and gravity of the offence, as well as the offender's are, skills, and physical and physiological capabilities, when determining the specific community service to be assigned.
4. The Community Service shall unequivocally exclude police officers from serving as supervising officers for community service. That apart, the offices of investigating agencies shall not be designated as locations for carrying out community service.
5. Eligible individuals may be assigned responsibilities aligned with educational purposes, while physically able persons may be engaged in work at government construction sites. Court premises should also be recognized as suitable locations for performing community service.
6. Community service on environmental activities may include, but are not limited to, environmental protection efforts such as:
    - Forest or wildlife conservation,
    - Ant-poaching initiatives,
    - Planting a specified number or type of trees or plants in designated government-controlled areas,
    - Afforestation,

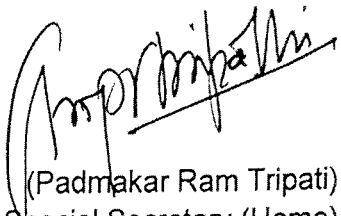
- Soil conservation or watershed management
- Cleaning and maintaining beaches, rivers, riverbanks, parks, gardens, public spaces, markets, streets, and public buildings, including court premises.
- Participating in environmental awareness campaigns,
- Assisting with workshops, seminars, or educational materials on environmental issues.

7. In the realm of educational activities, community service may include
   - Teaching or tutoring underprivileged children or adults for a specified number of hours (online or offline),
   - Conducting literacy or adults education programs,
   - Undertaking vocational training or skill development initiatives,
   - Assisting in library services or book distribution,
   - Developing educational resources,
   - Mentoring students,
   - Participating in awareness campaigns on health, hygiene, or sanitation,
   - Organizing workshops or seminars on social issues.
8. Regarding building and community infrastructure, accused may be engaged in:
   - Assisting with construction or maintenance of roads, bridges, or public buildings,
   - Participating in neighborhood watch or community policing efforts,
   - Promoting community cohesion and social harmony initiatives,
   - Organizing community meetings or forums,
   - Any other community-building activity deemed appropriate by the court.
9. For other unpaid work, community service may include:
   - Assistance at government hospitals, healthcare centers, or nursing homes,
   - Support at orphanages, old age homes, juvenile justice homes, or disability centers,
   - Participation in disaster relief efforts,
   - Helping at animal shelters or wildlife rescue centers,
   - Engagement in rural development projects or urban slum improvement programs,
   - Supporting vulnerable populations such as senior citizens, disabled individuals, homeless persons or families, or any other unpaid work the sentencing court considers appropriate, taking into account the socio-economic conditions and local context.
10. Default Sentence: (1) The imprisonment which is imposed in default of community service shall terminate whenever the offender has effectively done community service for the period specified in the order sentencing the offender to community service; (2) If the offender has performed any proportionate period of community service as ordered by the court, the offender shall be liable to undergo default sentence for the proportionate period remaining only and if, before the expiration of the term of imprisonment fixed in default of community service, such a proportionate period of community service ordered is done that the term of imprisonment suffered in default of payment is not less than

proportional to the part of the period of community service remaining unperformed, the imprisonment shall terminate.

11. Modification of nature of community Service: The court may, for the limited purpose of ensuring practicality of its order, and after hearing the Probation officer, the Prosecutor and the accused, modify the nature of community service to be performed by any person, at any time after the order of sentencing, where the Probation Officer or the Prosecutor reports to the court that due to any changed circumstance, the commencement, continuation or completion of the period of community service in the manner directed by the court has become impossible

By Order and in the Name of
the Administrator of Union Territory of
Lakshadweep



(Padmakar Ram Tripati)
Special Secretary (Home)
Union Territory of Lakshadweep

ADMINISTRATION OF THE
UNION TERRITORY OF LAKSHADWEEP
OFFICE OF THE SUPERINTENDING ENGINEER,
PUBLIC WORKS DEPARTMENT,
CIRCLE OFFICE, KAVARATTI - 682555

F. No. 03/1/2020-C1/2513 Dated.15.12.2025

NOTIFICATION

With reference to Roll 74 (a) of the CCS (Pension) Rules 1972. It is hereby notified that Shri. M.K. Abdussalam (Date of Birth : 27-01-1966) Assistant Engineer, Lakshadweep PWD Division, Kavaratti will retire from Government service on Superannuation on the Afternoon of 31-01-2026.

This is issued with the approval of competent authority vide diary number 669 dated 14.12.2025.

Sd/-
C.N. Shajahan,
Superintending Engineer.

LGP.Kvt.M-2064/12-25/10